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SAFETY, HEALTH AND ENVIRONMENTAL MANAGEMENT PROGRAM

1. PURPOSE

This Order defines the U. S. Environmental Protection Agency's Safety, Health and Environmental Management Program. It establishes policies, outlines authorities, defines management functions and responsibilities, and creates an agencywide organizational structure for the administration of SHEMP.

2. BACKGROUND

A comprehensive and effective SHEMP is essential to ensuring that agency employees are provided with safe and healthful workplaces and working conditions in the performance of the EPA's mission; that agency activities do not negatively impact the environment; and that agency activities comply with applicable federal, state and local environmental mandates.

3. POLICY

It is the policy of the agency to:

- a. **Manage and operate SHEMPs so that statutory and regulatory compliance is achieved.** Senior managers are accountable for ensuring that the agency's internal environmental management activities and its occupational safety and health management practices are in compliance with applicable federal, state and local mandates.
- b. **Provide safe and healthful working conditions for agency employees, and ensure that agency activities are managed in ways that keep its workplaces free from recognized safety and health hazards.** Senior managers must exercise active, visible leadership for their SHEMPs and implement activities that identify and address potential problem areas at facility and field work sites. Managers must emphasize prevention rather than reaction as the foundation of their strategy (e.g., implementation of safety and health management systems). Local program implementation should be designed to encourage the widest possible employee and employee representative involvement and participation.

- c. **Provide a workplace in compliance with applicable environmental rules and regulations, executive orders and agency sustainability goals.** Senior managers shall sustain environmental management systems that establish operational controls for complying with federal, state and local rules and regulations and shall identify actions to reduce the significant environmental aspects of their work in accordance with the goals of the agency's Strategic Sustainability Performance Plan.
- d. **Integrate SHEMP concerns into the agency activities and decisions.** Senior managers must ensure that appropriate financial and technical resources are allocated for the implementation of their SHEMPs. Internal controls should be established to ensure that violations of statutes and regulations are properly reported and that corrective actions occur quickly and effectively.
- e. **Ensure that SHEMP issues are addressed during all phases of the management process: planning, development, implementation, oversight and evaluation.** SHEMP managers and specialists are to be visible, participating members of the management team and internal decision-making processes.

4. **SCOPE AND APPLICABILITY**

All agency program offices and regions must support a comprehensive SHEMP to promote environmental stewardship, ensure the safety and health of agency employees, and exercise responsible care in assessing compliance with U.S. Occupational Safety and Health Administration requirements consistent with the OSHA Multi-Employer Citation Policy (CPL 2-0.124), by other federal and non-federal workers, interns or volunteers working under the agency's authority. The agency has the authority to implement safety, health and environmental management SHEM-related oversight over activities and operations that occur at agency facilities (owned, rented or leased) and at field work sites. The agency also has the authority to oversee contractor activities in agency facilities in order to ensure that the contractor is meeting its SHEM obligations.

A variety of sub-programs may fall under the agency's SHEMP, including, but not limited to, environmental management systems; safety and health management systems; the Leadership in Energy and Environmental Design Program; the Health and Wellness Program; the Injury and Illness Prevention Program; the Occupational Medical Surveillance Program; the Workers' Compensation Program; the Prevention of Violence in the Workplace Program; numerous environmental stewardship programs/initiatives (e.g., energy and water conservation strategies, pollution prevention and waste reduction strategies, electronics stewardship, greenhouse gas reduction); and a variety of OSHA programs (e.g., ergonomics, chemical warfare agents, nanomaterial safety, respiratory protection, radiation safety, personal protective equipment, confined space entry, motor vehicle safety, vessel safety) that aim to protect office workers, laboratory personnel, emergency responders, and field workers.

5. PROGRAM DOCUMENTATION

Supplemental details regarding policies, guidance and information associated with the agency's SHEMP are available in:

- a. **SHEMP Guidelines**, which provide management officials, union officials, SHEMP managers, and other agency employees with interpretations of federal statutes, executive orders, and regulatory mandates (hereafter referred to as mandates); explain their application to the EPA's mission-oriented activities; and provide strategies, procedures, and management tools that can be used in complying with these mandates.
- b. **SHEMP Operations Manuals**, which addresses common SHEMP activities such as performing field operations; designing and operating facilities; working in office environments; performing laboratory operations; performing dive operations; managing lead-containing building materials; and managing asbestos-containing building materials.
- c. **SHEM Auditing Program Document: EPA Audit Policies, Authorities and Procedures**, which provides management officials, union officials, SHEMP managers and other agency employees with an explanation of the processes, criteria and protocol used to conduct audits, inspections and program evaluations.
- d. **The Office of Administration Intranet Page**, which provides management officials, union officials, SHEMP managers and other agency employees with timely access to the Safety, Health and Environmental Management Division's (SHEMD's) products and links to other SHEMP websites.
- e. **The Emergency Responder Health and Safety Manual**, which outlines steps that EPA must take to protect the agency's emergency responders from job-related injuries, accidents and exposures to hazardous materials. The manual promotes consistency in the way that OSHA standards, policies and other guidelines are applied across the agency and assigns responsibilities for health and safety-related tasks.

6. RESPONSIBILITIES OF AGENCY OFFICIALS

- a. **Administrator**. The Administrator is responsible for establishing and maintaining the agency's SHEMP and ensuring its implementation at all levels.
- b. **Assistant Administrator of the Office of Administration and Resources Management**. EPA Delegations Manual 1200 delegates authority from the Administrator to the AA-OARM to:
 - (1) Serves as the agency's designated safety, health and environmental management official.
 - (2) Advises the Administrator in the planning, development and implementation of SHEM policies and programs.

- (3) Maintains a national program office that directs the development and implementation of the agency's SHEMP.
- c. **Director, SHEMD.** EPA Delegations Manual 1200, Delegation 1-3, "Safety, Health and Environmental Management," re-delegates authority from the AA-OARM through the director of OA, to the SHEMD director to administer the agency's SHEMP. As the national program official, the SHEMD director:
- (1) Formulates and establishes the agency's SHEM policies, programs, standards, guidelines, protocols, goals, objectives, priorities and guidelines for compliance with applicable statutory and regulatory mandates.
 - (2) Determines the applicability of statutory and regulatory mandates to agency employees, activities and decisions.
 - (3) Advises the AA-OARM, the director of OA, and senior management officials in planning, developing and implementing SHEM policies, programs and operating practices as they affect agency employees and activities.
 - (4) Provides guidance and assistance to SHEMP managers and broad direction for all agency SHEMPs.
 - (5) Evaluates the effectiveness of SHEMP management and operations in regional/program offices, laboratories, and other operating units; submits detailed reports and proposes corrective actions to the appropriate RA- and AA-ship; and follows up on corrective actions. These evaluations (audits) may include a review of contractor activities (e.g., U.S. General Services Administration contractors, agency contractors) performed at EPA facilities and field work sites.
 - (6) Supports the selection and evaluation of technically qualified regional and program office SHEMP officials.
 - (7) Administers the Washington, D.C., (Headquarters) SHEMP, except as noted in section (d)(1) below.
 - (8) Represents the agency in rulemaking activities and in other professional forums that may affect the agency's SHEMP, and coordinates applications for variances and waivers from federal statutory and regulatory mandates.
 - (9) Represents the agency in the formulation of government wide SHEMP policy and practices, and participates in external committees, organizations, associations, standard-setting groups or other professional groups having an impact on federal employees.

- d. **Regional administrators, AAs, general counsel, chief financial officer, inspector general and chief of staff** shall ensure that SHEMPs are implemented for their regional, program office, and laboratory employees and that their offices' activities are performed in compliance with this Order, executive orders, statutory mandates, federal regulations, and applicable state and local regulations.
- (1) Subject officials with responsibility for field organizations and employees who perform activities in chemical or research activities, conduct field inspections and investigations, or perform emergency response activities (and are potentially exposed to chemical, physical, and biological agents or serious safety hazards), to include all RAs and AAs for the Office of Enforcement and Compliance Assurance, the Office of Solid Waste and Emergency Response, the Office of Air and Radiation, the Office of Water, the Office of Chemical Safety and Pollution Prevention, and the Office of Research and Development, shall appoint in writing to the SHEMD director, a designated safety, health, and environmental management official to provide leadership for their SHEMP. The DSHEMO shall be delegated the authority for establishing a region wide or AA-wide program. In the regions, the DSHEMO is the assistant regional administrator, and SHEMP officials shall have unobstructed access to the ARA on SHEMP-related matters. DSHEMO placement in the program offices may be handled in different ways: AAs may decide to establish an AA-wide DSHEMO, or AAs may decide to establish the DSHEMO at a major field location when there is only one field laboratory.
 - (2) Subject officials with responsibility only for Washington, D.C. based employees receive their program support from SHEMD but must designate a SHEM point of contact in writing to the SHEMD director.
 - (3) In locations where more than one AA or RA share management of the SHEMP and implementation strategies, the program shall be integrated into one locationwide program, by written agreement among the parties, and there shall be clearly assigned SHEMP delegations of authority, responsibilities and accountability for program implementation and evaluation (e.g., Las Vegas, Cincinnati, Research Triangle Park).
 - (4) All headquarters offices, including those with DSHEMOs, will receive at least a minimum level of program support from SHEMD. This support may include (but will not be limited to) assistance in developing job hazard analyses, facilitating medical surveillance activities, and providing health and safety training.

- e. **DSHEMOs.** On behalf of the AA and RA, ensure accomplishment of all SHEMP-related matters to include:
- (1) Implementation of SHEMP activities for regional, program office, division, and laboratory employees and field activities, and assurance that these activities are in compliance with this order, executive orders, statutory mandates, federal regulations, and applicable state and local regulations.
 - (2) Allocation of resources ensuring that the SHEMP is staffed with technically qualified and equipped professionals **and** provided with adequate financial resources to manage facility and field SHEMP programs.
 - (3) Establishment of SHEMP management systems that ensure that employees are furnished with places and conditions of employment free from recognized safety, health and environmental hazards that may contribute to the occurrence of occupational injuries or illnesses.
 - (4) Design and implementation of procedures ensuring that there are prompt technical evaluations and responses to employee reports of unsafe or unhealthful conditions.
 - (5) Prompt abatement of unsafe, unhealthful and/or environmentally unsound working conditions, and ensuring that procedures are in place for notifying employees when unsafe and unhealthful working conditions cannot be abated immediately.
 - (6) Establishment of labor/management SHEMP committee(s). At field locations not covered by a collective bargaining agreement, labor membership does not apply. Facility health and safety committees can be expanded to cover all SHEMP activities.
 - (7) Coordination with senior managers to ensure that SHEM duties are included as a line item in the general management responsibilities of job descriptions and performance standards for managers and supervisors.
 - (8) Submission of an annual report of activities and accomplishments (such as annual program evaluations and findings; inspections conducted, violations noted, and status of unabated hazards; accidents investigated and corrective actions taken) and statistical information (e.g., injury, illness, damage, loss, costs) to the AA-OARM by December 31 of each year.
 - (9) Immediate reporting to the SHEMD director of all adverse inspections and any incidents involving either agency or non-federal employees that result in serious injury or significant property damage.

- f. **SHEMP officials (which can include SHEMP managers, EMS coordinators, SHMS coordinators and radiation safety officers)** integrate the broad spectrum of statutes, executive orders, rules and regulations into one comprehensive regional, program office and/or laboratory program, making it consistent with and supportive of the mission-related activities of the organization. The SHEMP manager/specialists must collectively have the technical capacity, resources, authority and written program documentation to:
- (1) Design integrated SHEMP activities for regional, program office, division and laboratory employees, as well as field activities in compliance with this order; executive orders; and applicable federal, state, and local mandates.
 - (2) Design procedures that ensure that there are prompt technical evaluations and responses to employee reports of unsafe or unhealthful conditions.
 - (3) Conduct annual SHEMP audits of all regional/program office facilities, perform periodic industrial hygiene surveys (depending on risk assessment), approve health and safety plans for field activities, and review job hazard analyses with supervisors. These audits, surveys and reviews are to be performed by technically qualified personnel using proper equipment, protocols and controls, and are to be designed to document employee exposures to occupational and environmental risks/hazards. Adequate employee representation shall be included during this work.
 - (4) Establish processes that ensure prompt abatement of unsafe, unhealthful or environmentally unsound working conditions, and notify employees when unsafe/unhealthful working conditions cannot be abated immediately.
 - (5) Provide employees with timely training/learning and access to up-to-date technical information regarding the properties and potential risks/hazards of chemical, physical and biological agents; nanomaterials; and other materials used or encountered during the performance of job duties. This includes procedures for evaluating the quality and effectiveness of training/learning experiences and determining the adequacy and understanding of technical information provided to employees.
 - (6) Coordinate waste reduction efforts at agency laboratories for internal pollution prevention programs, incorporating community right-to-know and emergency notification elements.
 - (7) Provide managers/supervisors with SHEMP management systems and learning/training experiences necessary to ensure that they are capable of meeting their SHEMP responsibilities outlined in paragraph 6.g below.

- (8) Provide employees with learning/training experiences that ensure that they are capable of meeting their SHEMP responsibilities outlined in paragraph 6.h below.
 - (9) Provide SHEMP reports and other related data, as requested by the SHEMD director.
 - (10) Coordinate with facility management staff, contracting officers and GSA building management representatives, and exercise appropriate SHEMP oversight, as necessary, to ensure that building maintenance activities (e.g., hot work activities, testing of ventilation systems and fire protection systems, other non-routine tasks) are performed in a manner that will protect the safety and health of agency employees.
- g. **Managers and supervisors** implement SHEMP management systems that ensure that employees are furnished with places and conditions of employment that are free from recognized safety, health and environmental hazards, which may contribute to the occurrence of occupational injury, illness, death, or environmental pollution. As part of this responsibility, managers and supervisors shall:
 - (1) Comply, within the bounds of their authority, with federal, state and local laws; rules and regulations; and SHEMP requirements.
 - (2) Immediately address and/or refer to SHEMP officials all reports or observances of unsafe, unhealthful or environmentally unsound conditions.
 - (3) Participate fully in SHEMP activities (e.g., committees, training).
 - (4) Ensure that employees under their oversight comply with SHEMP requirements; are provided with appropriate, timely SHEMP training; and fully participate in SHEMP activities (e.g., committees, training).
- h. **Employees** comply with applicable SHEMP requirements; perform their assigned tasks (including those activities not covered by existing rules or regulations) in accordance with the SHEMP and in ways that protect their own safety and health, the safety and health of their fellow employees, government property, and the environment; immediately address and/or refer to their supervisor and/or SHEMP officials all observances of unsafe, unhealthful, or environmentally unsound conditions; and participate fully in SHEMP activities (e.g., committees, training).
- i. This authority may be exercised by any person in the chain of command down to the person to whom it has been delegated. Any redelegation of this authority does not divest the official making the redelegation from the power to exercise this authority.

7. AUTHORITY

- a. Occupational Safety and Health Act of 1970, Section 6 (29 United States Code [U.S.C.] 655) and Section 19 (29 U.S.C. 668).
- b. Clean Air Act of 1955, as amended, 69 Stat. 485, (42 U.S.C. 7401-7642).
- c. Clean Water Act of 1972, as amended, PL 92-500, (33 U.S.C. 1251-1376).
- d. Resource Conservation and Recovery Act of 1976, as amended, PL 94-580, (42 U.S.C. 6901).
- e. Federal Insecticide, Fungicide and Rodenticide Act of 1972, PL 92-516, (7 U.S.C. 136).
- f. Toxic Substances Control Act of 1976, PL 94-469, (15 U.S.C. 2601). EPA Directives and Order.
- g. Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended [specifically the Superfund Amendments and Re-authorization Act of 1986 (SARA), PL 99-499], PL 96-510, (42 U.S.C. 9601-9657).
- h. Safe Drinking Water Act of 1974, as amended [specifically the Safe Drinking Water Act Amendments of 1986, PL 99-339], PL 93-523, (42 U.S.C. 300f, et seq.)
- i. Pollution Prevention Act of 1990, PL 101-508, (42 U.S.C. 13101).
- j. Alternative Motor Fuels Act of 1988, PL 100-494, (42 U.S.C. 6374, 15 U.S.C. 2001).
- k. National Environmental Policy Act of 1969, PL 91-190, (42 U.S.C. 4321).
- l. Federal Facility Compliance Act of 1992, PL 102-386, (42 U.S.C. 6961).
- m. Comprehensive Alcohol Abuse and Alcohol Prevention, Treatment and Rehabilitation Act of 1970, as amended (42 U.S.C. 4561); FPM Letter 792-4; the Drug Abuse Office and Treatment Act of 1972, as amended, Section 413 (21 U.S.C. 1180); FPM Letter 792-7; FPM Letter 792-9.
- n. Executive Order 12196, *Occupational Safety and Health for Federal Employees*, 1980.
- o. Executive Order 12088, *Federal Compliance with Pollution Control Standards*, 1978.
- p. Executive Order 12146, *Management of Federal Legal Resources*, 1979.
- q. Executive Order 12580, *Superfund Implementation*, 1987.

- r. Executive Order 12759, *Energy Efficiency*, 1991.
- s. Executive Order 12856, *Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements*, 1993.
- t. U.S.C., Title 5, Section 7901, "Health Service Programs," and Section 7902, "Safety Programs."
- u. Code of Federal Regulations, Title 29, Part 1960. "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters," Part 1910, "Occupational Safety and Health Standards," and Part 1926, "Safety and Health Regulations for Construction."
- v. Office of Management and Budget, Circular A-72 and Circular A-76.
- w. Code of Federal Regulations: Titles 10, 40 and 49.
- x. EPA Delegations Manual 1200, Delegations 1-3, Occupational Health and Safety.